

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING

concerning

ADMINISTRATIVE CIVIL LIABILITY ORDERS FOR

for

FLORIN PERKINS LANDFILL, INC.

JACKSON ROAD LANDFILL

AND

FLORIN PERKINS LANDFILL

SACRAMENTO COUNTY

Florin Perkins Landfill, Inc. (Discharger) operated both the Jackson Road and Florin Perkins Landfills in Sacramento from 1993 to February 2005. The landfills are near the Jackson Highway at Florin Perkins Road in the City of Sacramento. Both properties are commonly owned by a group of family trusts, led by Nancy Cleavinger, Trustee of the Nancy C. Cleavinger Revocable Trust. The landfills are regulated by Waste Discharge Requirements (WDRs) Order Nos. R5-2003-0075 (Jackson Road Landfill) and 95-196 (Florin Perkins Landfill). In March 2005, the Regional Board's Executive Officer issued separate administrative civil liability complaints to the Discharger for violations at each site. At the Jackson Road Landfill, the operator failed to implement landfill closure and failed to conduct a landfill gas investigation in violation of a cease and desist order. At Florin Perkins Landfill, the Discharger failed to submit a technical report concerning a release of waste to groundwater in violation of a California Water Code Section 13267 order. The Discharger requested a hearing on the ACL complaints. The Regional Board will consider whether to impose administrative civil liabilities on the Discharger for these violations.

A **formal** public hearing concerning this matter will be held during the Regional Board meeting which is scheduled for:

DATE: 29 April 2005
TIME: 8:30 a.m.
PLACE: 11020 Sun Center Drive #200
Rancho Cordova, California 95670-6114

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Board
- Florin-Perkins Landfill, Inc.
- Nancy Cleavinger, Trustee, et al

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **21 April 2005**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

NOTICE OF PUBLIC HEARING
FLORIN PERKINS LANDFILL, INC.
JACKSON ROAD AND FLORIN PERKINS LANDFILLS
SACRAMENTO COUNTY

- 2 -

Persons wishing to comment on this noticed hearing item must submit testimony, evidence, if any, and/or comments in writing to the Regional Board no later than **21 April 2005**. Written evidence or comments submitted after **21 April 2005** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair

Anyone having questions on the proposed Administrative Civil Liability Order should contact John Moody at (916) 464-4641. Interested parties may download the proposed Order and related documents from the Regional Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative>. If you do not have Internet access, these documents may be inspected and copied at the Regional Board's office at 11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/index.html. Information on meeting and hearing procedures is also available on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Janice Tanaka at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Janice Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by

Jack E. Del Conte, Assistant Executive Officer

7 April 2005